

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JE* D.C.
03 SEP 15 PM 2:38
THOMAS A. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

FRANK HARRIS,

Plaintiff,

v.

No. 03-2855-B/V

MEMPHIS BOARD OF EDUCATION,

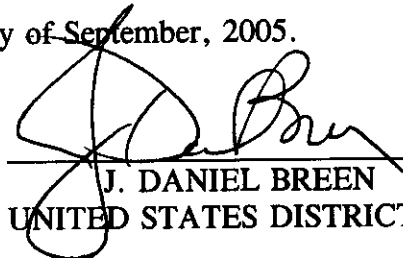
Defendant.

**ORDER DIRECTING DEFENDANT TO RESPOND TO PLAINTIFF'S
MOTION TO DISMISS**

Before the Court is the September 13, 2005 motion to dismiss filed by the pro se Plaintiff, Frank Harris. The Plaintiff states that his case "be dropped or dismissed because I cannot get representation and I do not know enough about the legal procedures to continue. Nor do I have the legal fee that might be required." There is no certificate of service on the motion and, therefore, it is unlikely that the Defendant, Memphis Board of Education, has notice of it. Consequently, the Clerk is directed to forward a copy of this motion to defense counsel.

Accordingly, the Clerk is directed to forward a copy of Plaintiff's motion to dismiss to counsel for the Defendant. Defendant is directed to respond to Plaintiff's motion to dismiss within eleven (11) days of the entry of this order. Defendant will state whether or not it opposes the motion and, if not, the Court will enter an appropriate order.

IT IS SO ORDERED this 15th day of September, 2005.


J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE

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Notice of Distribution

This notice confirms a copy of the document docketed as number 13 in case 2:03-CV-02855 was distributed by fax, mail, or direct printing on September 16, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT